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CRR 1163 of 2011
(Jugal Kishore Chowdhury & Ors. Vs. State & Ors)
With
CRR 1149 of 2011
(M/S. Cippy Fruit Products -vs- State & Ors.)

Ms. Ananya Mondal

... for the petitioners.

Mr. Binay Kumar Panda
Ms. Pushpita Saha
Mr. S.K. Bhakat

... for the State.

The learned advocate for the State is present.

On the earlier occasion, the date has been fixed on the prayer of the learned advocate for petitioner Ms. Ananya Mondal. The learned advocate for the petitioner seeks for an adjournment and the same is not allowed

The instant revisional applications have been filed against an order dated 16th March, 2011 passed by the Court of the learned Judicial Magistrate, 2nd Court at Krishnanagar, Nadia in Case No. 282 C/10 being T.R. No. 330/10 rejecting an application for re-analysis of adulterate food sample under Sub Section 2 of Section 13 of the Prevention of Food Adulteration Act, 1954.

Perused the contentions of the petition as well as the order impugned the public analysis report was communicated to the petitioners under the provisions of Prevention of Food Adulteration Act, 1954. The petitioners has sought for an order to re-analyse the adulterated food sample under Section 2(13) of the Prevention of

Food Adulteration Act, 1954. The sample being a perishable commodity must have lost its efficacy by now.

Accordingly, the prayer for re-analysis of the sample of tomato sauce rejected by the learned trial court was proper and this court is not inclined to interfere with the same

Accordingly, the instant revisional applications are dismissed.

The interim orders if any stand vacated.

Copy of the order be sent to the department and learned trial court for information.

(Ananya Bandyopadhyay, J.)